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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,430	02/27/2004	Laurie Macolino	13869.47	7003

7590 11/02/2007  
DANA L. TANGREN  
1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UT 84111

EXAMINER
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ANDERSON, JOHN A

ART UNIT	PAPER NUMBER
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4137

MAIL DATE	DELIVERY MODE
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11/02/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/788,430	MACOLINO, LAURIE	
	<b>Examiner</b>	<b>Art Unit</b>	
	John A. Anderson	4137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Status of the Claims**

1. This action is in response to the application filed on Feb 27, 2004. Claims 1-17 are pending and are examined.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4-7, 9-11,13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Eicher Jr et al (USPGPUB 2002/0099598).

As regards claims 1,10 and 15, Eicher discloses a supply chain data management system, method and apparatus comprising:

- a first trading entity coupled to be in communication with a server via a communications network, said first trading entry registered with said server as a participant of said system; [0035, 0057,0063, 0065].
- at least one second trading entity coupled to be in communication with said server via said communications network, said at least one second trading entity

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registered by said first trading entity as a trading partner of said first trading entity; [0065,0115].

- a profile associated with each said trading entity, said profile specifying supply chain data to be communicated to and/or from one or more of said trading entities, each profile accessible by said server;[087].
  - wherein, said server automatically requests supply chain data from at least one of said trading entities and In response to receiving said requested supply chain data, said server communicates data related to said supply chain data to one or more other trading entities in accordance with their profile.[0189]
4. As regards claim 2, Eicher discloses wherein each profile for each said second trading entity registered as a trading partner of said first trading entity is created by said first trading entity, [0017; The system also provides assistance to buyers and suppliers to select partners that best meet their profile, based on past performance history].
5. As regards claims 4,11 and 16, Eicher discloses wherein each profile specifies a format of the supply chain data to be communicated to and/or from said trading entity, [0064; Message adapters may comprise the types of information that each of

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the partners is to send to and/or receive from the supply chain management system, the format that the message should take].

6. As regards claims 5 and 13, Eicher discloses wherein a predetermined time limit for responding to said request for supply chain data is associated with said request, after the expiry of which, if said server has not received said requested supply chain data, a reminder is sent by said server to said trading entity from which said supply chain data was requested, [0124; The partner can change the response at anytime up until the request closes].
7. As regards claims 6 and 14, Eicher discloses wherein said data related to said supply chain data comprises a notification that supply chain data is available via said communications network, the availability of said data to said one or more of said second trading entities being specified by said first trading entity in said profile of said second trading entities, [0090; Specifically, the buyer may select to be alerted based on inventory shortages, over-stocking and the like].
8. As regards claims 7, Eicher discloses wherein said supply chain data is communicated by one or more of the following: email, electronic data interchange (EDI) facsimile, [0164]. Each user has the option to have alerts delivered to their email account or via other notification mechanisms.

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9. As regards claim 9, Eicher discloses wherein said server is an application server, [0023; The examiner interprets the event- monitoring server system to be applicant's application server].

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
11. Claims 3, 8, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eicher Jr et al (US PG PUB 2002/0099598 A1) in view of Zarefoss et al (US PG PUB 2002/0138324 A1).
12. As regards claims 3 and 12, Eicher discloses server communicates data related to said supply chain data to one or more other trading entities in accordance with their profile, [0189]. Eicher does not disclose wherein said server informs said second trading entity via said communications network that they have been registered by said first trading entity following registration of said

second trading entity by said first trading entity. Zarefoss discloses that the trading partner and its users is able to edit the contents of the component as well as grant permission for others to access the component. The system then determines whether the planning component will be shared with other trading partners. For each of the trading partners identified in step 414, a decision is made as to which version of the planning components will be accessible to the trading partner. [0065]

13. It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Zarefoss in the device of Eicher. The motivation would have been to prescreen trading entities such that trading partners may be readily available when access is required, and to avoid the disclosure of private data.
14. As regards claims 8 and 17, Eicher discloses server communicates data related to said supply chain data to one or more other trading entities in accordance with their profile. Eicher does not disclose wherein said supply chain data is one or more of the following: estimated time of manufacture (ETM), arrival time and/or date (ARR), departures time and/or date (DEP), origin, destination, trading participant identity, mode of supply, customs clearance details (CCD), purchase order (PO), estimated time of supply (ETS), packing list (PL), shippers letter of instruction (SLI), origin pick up details (OPU), house airway bill (HAWB), bill of lading (BOL), master airway bill (MAWB), ocean bill of lading (OBL), manifest

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details, freight and value (F/V) information, invoice, commercial invoice (CI), receipt of shipment (WR). Zarefoss discloses Supply chain information may include, for example, demand forecast, supply forecast, promotional forecast, purchasing order information, and the like, for any point in the supply chain and for any supply chain participant. [0048]

15. It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Zarefoss in the device of Eicher. The motivation would have been to support the business needs of a user or a trading partner.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Anderson whose telephone number is 571-270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AKM ULLAH can be reached on 571-2722361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John A Anderson

Examiner

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AKM ULLAH  
SUPERVISORY PATENT EXAMINER